**Private Letter Ruling**

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| **Ruling Number:** | **P-1999-233** |

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| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Membership dues and recreational activity fees paid to nonprofit community service organizations.** |
| **Keywords:** |  |
| **Approval Date:** | **10/11/1999** |

**Body:**

Office of Policy & Research  
  
  
October 11, 1999

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RE: TTTTTTTTTTTTTTTTTTTTTTTTTTTTT  
  
  
Dear Mr. TTTTTTTT:  
  
  
We wish to acknowledge receipt of your letter dated August 30, 1999, regarding the application of Kansas Retailers’ Sales tax.  
  
The 1998 legislature exempted membership dues and recreational activity fees that are paid to certain nonprofit community service organizations. For this exemption to apply, the organization must qualify for exemption from property tax under the Ninth paragraph of K.S.A. 79-201. Examples of Organizations that may qualify are the American Red Cross, Big Brothers & Big Sisters, Boy Scouts, Girl Scouts, YMCA, YWCA, community health centers, local community organizations, and social services organizations. K.S.A. 79-3603(m).  
  
Also exempted are the membership dues paid to military veterans organizations, such as the Veterans of Foreign Wars and the American Legion, and their auxiliaries. These dues were previously taxed when payment allowed members to use the organization’s facilities for recreation or entertainment. K.S.A. 79-3603(n).  
  
Please be advised that since the TTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTT, is not exempt from property tax under the Ninth paragraph of K.S.A. 79-201, the membership dues and recreational fees charged by said organization would be subject to the appropriate Kansas sales tax(es), on the gross receipts received thereon.  
  
This is a private letter ruling pursuant to K.A.R. 92-19-59. It is based solely on the facts provided in your request. If it is determined that undisclosed facts were material or necessary to an accurate determination by the department, this ruling is null and void. This ruling will be revoked in the future by the operation of law without further department action if there is a change in the statutes, administrative regulations, or case law, or published revenue ruling, that materially effects this private letter ruling.  
  
If I may be of further assistance, please contact me at your earliest convenience at (785) 296-7776.  
  
Sincerely yours,  
  
  
  
Thomas P. Browne, Jr.  
Tax Specialist  
  
TPB  
  
  
**Date Composed: 10/25/1999 Date Modified: 10/11/2001**